THE MYSORE COURT-FEES ACT, 1900.

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MYSORE ACT No. III OF 1900.

THE MYSORE COURT-FEES ACT, 1900.

(As amended by Acts I of 1908, III of 1911, V of 1911, II of 1912, IV of 1914, VIII of 1922, I of 1924, VI of 1927, XII of 1930, III of 1931, IV of 1951, XVIII of 1952 and 9 of 1954.)

(PASSED ON THE 21ST DAY OF APRIL 1900.)

CHAPTER I.

PRELIMINARY.

Short title.

1. This Act may be called the Mysore Court-Fees Act, 1900.

Extent of enactment.

It extends to the [1][whole of State of Mysore except Bellary District].

Commencement of Act.

And it shall come into force on the first day of July 1900.

Repeal of enactments.

2. On and from the first day of July 1900, the enactments mentioned in the fourth schedule shall be repealed to the extent specified in the fourth column thereof.

Chief Controlling Revenue Authority.

[2][**2A.** " Chief Controlling Revenue Authority " means the Government or such officer as the Government may, by notification in the Official Gazette, appoint in this behalf.]

[3][In this Act, unless there is anything repugnant in this subject or context, " Memorandum of appeal " shall include memorandum of cross objection.]

CHAPTER II.

FEES IN COURTS AND IN PUBLIC OFFICES.

Fees on documents filed, etc., in courts or in public offices.

3. No document of any of the kinds specified as chargeable in the first or second schedule to this Act annexed shall be filed, exhibited or recorded in any Court of Justice, or shall be received or furnished by any public officer, unless in respect of such document there be paid a

1. See the Mysore Adaptation of Laws Order, 1956.
2. Added by Act I of 1924.
3. Introduced by Act VIII of 1922.

fee of an amount not less than that indicated by either of the said schedules as the proper fee for such document.

4. The amount of fee payable under this Act in the suits next hereinafter mentioned [1][except suits for relief under section 91 or 92 of the Code of Civil Procedure, 1911], shall be computed as follows :— Computation of fees payable in certain suits :

i. In suits for money including suits for damages or compensation, or arrears of maintenance, of annuities, or of other sums payable periodically —according to the amount claimed ; for money ;

ii. In suits for maintenance and annuities or other sums payable periodically—according to the value of the subject-matter of the suit, and such value shall be deemed to be [1][in suits for maintenance, the amount claimed to be payable for one year and in other suits] ten times the amount claimed to be payable for one year ; for maintenance and annuities ;

iii. In suits for moveable property other than money, where the subject-matter has a market-value— according to such value at the date of presenting the plaint ; for other moveable property having a market-value ;

iv. In suits—

(*a*) for moveable property where the subject-matter has no market-value, as, for instance, in the case of documents relating to title. for moveable property of no market-value ;

(*b*) to enforce the right to share in any property on the ground that it is joint family property, to enforce a right to share in joint family property ;

(*c*) to obtain a declaratory decree or order, where consequential relief is prayed, for a declaratory decree and consequential relief ;

(*d*) to obtain an injunction, for an injunction ;

(*e*) for a right to some benefit (not herein otherwise provided for) to arise out of land, and for easements

(*f*) for accounts— for accounts.

according to the amount at which the relief sought is valued in the plaint or memorandum of appeal.

1. Added by Act VIII of 1922.

Proviso. [1][Provided that in suits coming under sub-clause (*c*), in cases where the relief sought is with reference to any immoveable property, such valuation shall not be less than half the value of the immoveable property, calculated in the manner provided for by paragraph (v) of this section.]

In all such suits, the plaintiff shall state the amount at which he values the relief sought ;

for cancellation of decree or other document ; [2][iv. (A) In a suit for cancellation of a decree for money or other property having a money value, or other document securing money or other property having such value, according to the value of the subject-matter of the suit, and such value shall be deemed to be—

If the whole decree or other document is sought to be cancelled, the amount or the value of the property for which the decree was passed or the other document executed,

if a part of the decree or other document is sought to be cancelled, such part of the amount or value of the property ;]

for possession of lands, houses and gardens ; v. In suits for the possession of land, houses and gardens—according to the value of the subject-matter ; and such value shall be deemed to be—

A. where the subject-matter is land, and—

(*a*) where the land forms an entire estate, or a definite share of an estate, paying annual revenue to Government,

or forms part of such an estate and is recorded in the Deputy Commissioner's register as separately assessed with such revenue,

and such revenue is permanently settled—

[3][twenty] times the revenue so payable ;

(*b*) [4][where the land forms an entire estate, or a definite share of an estate, paying annual revenue to

1. Added by Act VIII of 1922.
2. Added by Act VIII of 1922 between paras IV and V.
3. Substituted by Act VIII of 1922.
4. Substituted by Act II of 1912, for clause (*b*) of clause (A), under sub-head V of section 4.

Government or to the holder or holders of an alienated village to which the provisions of Chapters VIII and IX of the Land Revenue Code have been extended, or forms part of such estate and is recorded as aforesaid ;

and such revenue is settled, but not permanently,—

[1][ten] times the revenue so payable;]

(*c*) where the land pays no such revenue, or has been partially exempted from such payment, or is charged with any fixed payment in lieu of such revenue,

and nett profits have arisen from the land during the year next before the date of presenting the plaint—

fifteen times such nett profits ;

but where no such nett profits have arisen therefrom—the amount at which the Court shall estimate the land with reference to the value of similar land in the neighbourhood ;

(*d*) where the land forms part of an estate paying revenue to Government, but is not a definite share of such estate and is not separately assessed as above-mentioned—the market-value of the land ;

Explanation.—The word "estate", as used in this paragraph, means any land subject to the payment of revenue, for which the proprietor or farmer or raiyat shall have executed a separate engagement to Government, or which in the absence of such engagement shall have been separately assessed with revenue ;

[2][Provided that if rules are framed under section 3 of the Mysore Suits Valuation Act, 1951 (Mysore Act XXXIX of 1951), for determining the value of land for the purposes of jurisdiction, the value so determined shall be deemed to be the value of the land for the purposes of this paragraph :

Provided further that when the value of land so determined exceeds twenty times the revenue payable on the land, the value shall be limited, for the purposes of this paragraph, to twenty times the said revenue.]

B. where the subject-matter is a house or garden—the market-value of the house or garden ;

1. Substituted by Act VIII of 1922.
2. Added by Act XVIII of 1952.

to enforce a right of pre-emption;

vi. In suits to enforce a right of pre-emption—according to the value (computed in accordance with paragraph (v) of this section) of the land, house or garden in respect of which the right is claimed;

for interest of assignee of land-revenue;

vii. In suits for the interest of an assignee of land-revenue—fifteen times his nett profits as such for the year next before the date of presenting the plaint;

to set aside an attachment;

viii. In suits to set aside an attachment of land or of an interest in land or revenue—according to the amount for which the land or interest was attached;

Provided that, where such amount exceeds the value of the land or interest, the amount of fee shall be computed as if the suit were for the possession of such land or interest;

to redeem;

ix. In suits against a mortgagee for the recovery of the property mortgaged,

to foreclose;

and in suits by a mortgagee to foreclose the mortgage,

or, where the mortgage is made by conditional sale, to have the sale declared absolute—

according to the principal money expressed to be secured by the instrument of mortgage;

for specific performance.

x. In suits for specific performance—

(*a*) of a contract of sale—according to the amount of the consideration;

(*b*) of a contract of mortgage—according to the amount agreed to be secured;

(*c*) of a contract of lease according to the aggregate amount of the fine or premium (if any) and of the rent agreed to be paid during the first year of the term;

(*d*) on an award—according to the amount or value of the property in dispute;

Between landlord and tenant.

xi. In the following suits between landlord and tenant—

(*a*) for the delivery by a tenant of the counterpart of a lease,

(*b*) to enhance the rent of a tenant having a right of occupancy,

(*c*) for the delivery by a landlord of a lease,

[1][(*cc*) for the recovery of immoveable property from a tenant, including a tenant holding over after the determination of a tenancy,]

(*d*) to contest a notice of ejectment,

(*e*) to recover the occupancy of [2][immoveable property] from which a tenant has been illegally ejected by the landlord, and

(*f*) for abatement of rent—

according to the amount of the rent of the [2][immoveable property] to which the suit refers, payable for the year next before the date of presenting the plaint.

Fee on memorandum of appeal against order relating to compensation.

5. The amount of fee payable under this Act on a memorandum of appeal against an order relating to compensation under any Act for the time being in force for the acquisition of land for public purposes shall be computed according to the difference between the amount awarded and the amount claimed by the appellant.

Power to ascertain nett profits or market-value.

6. If the Court sees reason to think that the annual nett profits or the market-value of any such land, house or garden, as is mentioned in section 4, paragraphs (v) and (vi) have or has been wrongly estimated, the Court may, for the purpose of computing the fee payable in any suit therein mentioned, issue commission to any proper person directing him to make such local or other investigation as may be necessary, and to report thereon to the Court.

Procedure where nett profits or market-value wrongly estimated.

7. i. If in the result of any such investigation the Court finds that the nett profits or market-value have or has been wrongly estimated, the Court, if the estimation has been excessive, may in its discretion refund the excess paid as such fee ; but, if the estimation has been insufficient, the Court shall require the plaintiff to pay so much additional fee as would have been payable had the said market-value or nett profits been rightly estimated.

ii. In such case, the suit shall be stayed until the additional fee is paid. If the additional fee is not paid

1. This clause was inserted by Act I of 1908.
2. These words were substituted for the word "Land" by Act I of 1908.

within such time as the Court shall fix, the suit shall be dismissed.

Procedure in suits for mesne profits on account when amount decreed exceeds amount claimed.

8. In suits for mesne profits or for immoveable property and mesne profits, or for an account, if the profits or amount decreed are or is in excess of the profits claimed or the amount at which the plaintiff valued the relief sought, the decree shall not be executed until the difference between the fee actually paid and the fee which would have been payable had the suit comprised the whole of the profits or amount so decreed shall have been paid to the proper officer.

[1][Where a decree directs an inquiry as to mesne profits which have accrued on the property during a period prior to the institution of the suit, if the profits ascertained on such inquiry exceed the profits claimed, no final decree shall be passed till the difference between the fee actually paid and the fee which should have been payable had the suit comprised the whole of the profits so ascertained is paid. If the additional fee is not paid within such time as the Court shall fix, the claim for the excess shall be dismissed, unless the Court for sufficient cause extends the time for payment.

Where a decree directs an inquiry as to mesne profits from the institution of the suit, and a final decree is passed in accordance with the result of such inquiry, the decree shall not be executed until such fee is paid as would have been payable on the amount claimed in execution if a separate suit had been instituted therefor.]

Decision of questions as to valuation.

9. i. Every question relating to valuation for the purpose of determining the amount of any fee chargeable under this chapter on a plaint or memorandum of appeal shall be decided by the Court in which such plaint or memorandum, as the case may be, is filed, and such decision shall be final as between the parties to the suit.

ii. But whenever any such suit comes before a Court of appeal, reference or revision, if such Court considers that the said question has been wrongly decided, to the detriment of the revenue, it shall require the party by whom such fee has been paid to pay so much additional fee as would have been payable had the question been

1. Substituted for the original by Act VIII of 1922.

rightly decided, and the provisions of section 7, paragraph ii, shall apply.

Refund of fee paid on memorandum of appeal.

10. If an appeal or plaint, which has been rejected by the lower Court on any of the grounds mentioned in the Code of Civil Procedure, is ordered to be received, or if a suit is remanded in appeal, on any of the grounds mentioned in section 562 of the same Code, for a second decision by the lower Court, the Appellate Court shall grant to the appellant a certificate, authorising him to receive back from the Deputy Commissioner the full amount of fee paid on the memorandum of appeal :

Provided that if, in the case of a remand in appeal, the order of remand shall not cover the whole of the subject-matter of the suit, the certificate so granted shall not authorise the appellant to receive back more than so much fee as would have been originally payable on the part or parts of such subject-matter in respect whereof the suit has been remanded.

Refund of fee on application for review of judgment.

11. Where an application for a review of judgment is presented on or after the nineteenth day from the date of the decree, the Court, unless the delay was caused by the applicant's laches may, in its discretion, grant him a certificate authorising him to receive back from the Deputy Commissioner so much of the fee paid on the application as exceeds the fee which would have been payable had it been presented before such day.

Refund where Court reverses or modifies its former decision on ground of mistake.

12. Where an application for a review of judgment is admitted, and where, on the re-hearing, the Court reverses or modifies its former decision on the ground of mistake in law or fact, the applicant shall be entitled to a certificate from the Court authorizing him to receive back from the Deputy Commissioner so much of the fee paid on the application as exceeds the fee payable on any other application to such Court under the second schedule to this Act No. 1, clause (*b*) or clause (*d*).

But nothing in the former part of this section shall entitle the applicant to such certificate where the reversal or modification is due, wholly or in part, to fresh evidence which might have been produced at the original hearing.

13. [1][* * *]

1. Repealed by Act III of 1931.

(Chapter II—Fees in Courts and in Public Offices)

Multifarious suits.

14. Where a suit embraces two or more distinct subjects, the plaint or memorandum of appeal shall be chargeable with the aggregate amount of the fees to which the plaints or memoranda of appeal in suits embracing separately each of such subjects would be liable under this Act.

Nothing in the former part of this section shall be deemed to affect the power conferred by the Code of Civil Procedure, section 45, paragraph 2.

Written examinations of complainants.

15. When the first or only examination of a person who complains of the offence of wrongful confinement, or of wrongful restraint, or of any offence other than an offence for which police officers may arrest without a warrant, and who has not already presented a petition on which a fee has been levied under this Act is reduced to writing under the provisions of the Code of Criminal Procedure, the complainant shall pay a fee of [1][twelve annas,] unless the Court thinks fit to remit such payment.

Exemption of certain documents.

16. Nothing contained in this Act shall render the following documents chargeable with any fee :—

i. Power-of-attorney to institute or defend a suit when executed by an officer or soldier in His Highness the Maharaja's Military Forces not in civil employment.

[2][ii. Written statement not being one mentioned in article 2-A of Schedule I, nor one containing a counter-claim, set off or a prayer other than a prayer for instalments or relating to costs of the suit.]

iii. Probate of a will and letters of administration, where the amount or value of the property in respect of which the probate of letters shall be granted does not exceed one thousand rupees.

iv. Application or petition to a Deputy Commissioner or other officer making a settlement of land-revenue, or to the Government, relating to matters connected with the assessment of land or the ascertainment of rights thereto or interest therein, if presented previous to the final confirmation of such settlement.

1. Substituted for the words "eight annas" by Act VIII of 1922.
2. Substituted by Act IV of 1951.

(*Chapter II—Fees in Courts and in Public Offices*)

v. Application relating to a supply for irrigation of water belonging to Government.

vi. Application for leave to extend cultivation, or to relinquish land, when presented to an officer of land-revenue by a person holding, under direct engagement with Government, land of which the revenue is settled, but not permanently.

vii. Application for service of notice of relinquishment of land or enhancement of rent.

viii. Written authority to an agent to distrain.

ix. First application (other than a petition containing a criminal charge or information) for the summons of a witness or other person to attend either to give evidence or to produce a document, or in respect of the production or filing of an exhibit not being an affidavit, made for the immediate purpose of being produced in Court.

x. Bail-bonds in criminal cases, recognizance to prosecute or give evidence, and recognizances for personal appearance or otherwise.

xi. Petition, application or information respecting any offence, when presented, made or laid to or before a Police-officer, or to or before the Heads of the Village Police.

xii. Petition by a prisoner, or other person in duress or under restraint of any Court or its officers.

xiii. Complaint of a public servant (as defined in the Indian Penal Code), a municipal officer, or an officer or servant of Railway Company.

xiv. Application for permission to cut timber in Government forests, or otherwise relating to such forests.

xv. Application for the payment of money due by Government to the applicant.

xvi. Petition of appeal against any Municipal tax.

xvii. Applications for compensation under any law for the time being in force relating to the acquisition of property for public purposes.

xviii. Petitions under the Indian Christian Marriage Act, 1872, Sections 45 and 48.

(Chapter III—Probates, Letters of Administration and Certificates of Administration)

CHAPTER III.

PROBATES, LETTERS OF ADMINISTRATION AND CERTIFICATES OF ADMINISTRATION.

Relief where too high a court-fee has been paid.

17. Where any person on applying for the probate of a will or letters of administration has estimated, the property of the deceased to be of greater value than the same has afterwards proved to be, and has consequently paid too high a court-fee thereon, if, within six months after the true value of the property has been ascertained, such person produces the probate or letters to the Chief Controlling Revenue Authority,

and delivers to such Authority a particular inventory and valuation of the property of the deceased, verified by affidavit or affirmation,

and if such Authority is satisfied that a greater fee was paid on the probate or letters than the law required, the said Authority may—

(*a*) cancel the stamp on the probate or letters if such stamp has not been already cancelled;

(*b*) substitute another stamp for denoting the court-fee which should have been paid thereon; and

(*c*) make an allowance for the difference between them as in the case of spoiled stamps, or repay the same in money, at his discretion.

Relief where debts due from a deceased person have been paid out of his estate.

18. Whenever it is proved to the satisfaction of such Authority that an executor or administrator has paid debts due from the deceased to such an amount as, being deducted out of the amount or value of the estate, reduces the same to a sum which, if it had been the whole gross amount or value of the estate, would have occasioned a less court-fee to be paid on the probate or letters of administration granted in respect of such estate than has been actually paid thereon under this Act;

such Authority may return the difference, provided the same be claimed within three years after the date of such probate or letters.

But when, by reason of any legal proceeding, the debts due from the deceased have not been ascertained and paid, or his effects have not been recovered and made available, and in consequence thereof the executor or

administrator is prevented from claiming the return of such difference within the said term of three years, the said Authority may allow such further time for making the claim as may appear to be reasonable under the circumstances.

Relief in case of several grants.

19. Whenever a grant of probate or letters of administration has been or is made in respect of the whole of the property belonging to an estate, and the full fee chargeable under this Act has been or is paid thereon, no fee shall be chargeable under the same Act when a like grant is made in respect of the whole or any part of the same property belonging to the same estate.

Whenever such a grant has been or is made in respect of any property forming part of an estate, the amount of fees then actually paid under this Act shall be deducted when a like grant is made in respect of property belonging to the same estate, identical with or including the property to which the former grant relates.

Probates declared valid as to trust-property though not covered by court-fee.

20. The probate of the will or the letters of administration of the effects of any person deceased heretofore or hereafter granted shall be deemed valid and available by his executors or administrators for recovering, transferring or assigning any moveable or immoveable property whereof or whereto the deceased was possessed or entitled, either wholly or partially as a trustee notwithstanding the amount or value of such property is not included in the amount or value of the estate in respect of which a court-fee was paid on such probate or letters of administration.

Provision for case where too low a court-fee has been paid on probates, etc.

21. Where any person on applying for probate or letters of administration has estimated, the estate of the deceased to be of less value than the same has afterwards proved to be, and has in consequence paid too low a court-fee thereon, the Chief Controlling Revenue Authority may, on the value of the estate of the deceased being verified by affidavit or affirmation, cause the probate or letters of administration to be duly stamped on payment of the full court-fee which ought to have been originally paid thereon in respect of such value and of the further penalty, if the probate or letters is or are produced within one year from

the date of the grant, of five times, or, if it or they is or are produced after one year from such date, of twenty times, such proper court-fee, without any deduction of the court-fee originally paid on such probate or letters:

Provided that, if the application be made within six months after the ascertainment of the true value of the estates and the discovery that too low a court-fee was at first paid on the probate or letters, and if the said Authority is satisfied that such fee was paid in consequence of a mistake or of its not being known at the time that some particular part of the estate belonged to the deceased, and without intention of fraud or to delay the payment of the proper court-fee, the said Authority may remit the said penalty, and cause the probate or letters to be duly stamped on payment only of the sum wanting to make up the fee which should have been at first paid thereon.

Administrator to give proper security before letters stamped under section 21.

22. In case of letters of administration on which too low a court-fee has been paid at first, the said Authority shall not cause the same to be duly stamped in manner aforesaid until the administrator has given such security to the Court by which the letters of administration have been granted as ought by law to have been given on the granting thereof in case the full value of the estate of the deceased had been then ascertained.

Executors, etc., not paying full court-fee on probates, etc., within six months after discovery of underpayment.

23. Where too low a court-fee has been paid on any probate or letters of administration in consequence of any mistake, or of its not being known at the time that some particular part of the estate belonged to the deceased, if any executor or administrator acting under such probate or letters does not, within six months after the discovery of the mistake or of any effects not known at the time to have belonged to the deceased, apply to the said Authority and pay what is wanting to make up the court-fee which ought to have been paid at first on such probate or letters, he shall forfeit the sum of one thousand rupees and also a further sum at the rate of ten rupees per cent on the amount of the sum wanting to make up the proper court-fee.

(Chapter III—Probates, Letters of Administration and Certificates of Administration)

Notice of applications for probate or letters of administration to be given to Revenue Authorities and procedure thereon.

24. (1) Where an application for probate or letters of administration is made to any Court other than the [1][High Court,] the Court shall cause notice of the application to be given to the Deputy Commissioner.

(2) Where such an application as aforesaid is made to the [1][High Court,] the [1][High Court] shall cause notice of the application to be given to the Chief Controlling Revenue Authority.

(3) The Deputy Commissioner within the local limits of whose revenue-jurisdiction the property of the deceased or any part thereof is, may at any time inspect, or cause to be inspected, and take or cause to be taken copies of the record of any case in which application for probate or letters of administration has been made; and if on such inspection or otherwise, he is of opinion that the petitioner has under-estimated the value of the property of the deceased, the Deputy Commissioner may, if he thinks fit, require the attendance of the petitioner (either in person or by agent) and take evidence and inquire into the matter in such manner as he may think fit, and, if he is still of opinion that the value of the property has been under-estimated, may require the petitioner to amend the valuation.

(4) If the petitioner does not amend the valuation to the satisfaction of the Deputy Commissioner, the Deputy Commissioner may move the Court before which the application for probate or letters of administration was made, to hold an inquiry into the true value of the property:

Provided that no such motion shall be made after the expiration of six months from the date of the exhibition of the inventory required by section 277 of the Indian Succession Act, 1865.

(5) The Court, when so moved as aforesaid, shall hold, or cause to be held, an inquiry accordingly, and shall record a finding as to the true value, as near as may be, at which the property of the deceased should have been estimated. The Deputy Commissioner shall be deemed to be a party to the inquiry.

1. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

(Chapter III - Probates, Letters of Administration and Certificates of Administration)

(6) For the purpose of any such inquiry, the court or person authorised by the Court to hold the inquiry may examine the petitioner for probate or letters of administration on oath (whether in person or by commission), and may take such further evidence as may be produced to prove the true value of the property. The person authorized as aforesaid to hold the inquiry shall return to the Court the evidence taken by him and report the result of the inquiry, and such report and the evidence so taken shall be evidence in the proceeding, and the Court may record a finding in accordance with the report, unless it is satisfied that it is erroneous.

(7) The finding of the Court recorded under sub-section (5) shall be final, but shall not bar the entertainment and disposal by the Chief Controlling Revenue Authority of any application under section 21.

(8) The Government may make rules for the guidance of Deputy Commissioners in the exercise of the powers conferred by sub-section (3).

Payment of court-fees in respect of probates and letters of administration.

25. (1) No order entitling the petitioner to the grant of probate or letters of administration shall be made upon an application for such grant until the petitioner has filed in the Court a valuation of the property in the form set forth in the third schedule, and the Court is satisfied that the fee mentioned in No. 10 of the first schedule has been paid on such valuation.

(2) The grant of probate or letters of administration shall not be delayed by reason of any motion made by the Deputy Commissioner under section 24, sub-section (4).

Recovery of penalties, etc.

26. (1) Any excess fee found to be payable on an inquiry held under section 24, sub section (6), and any penalty or forfeiture under section 23 may, on the certificate of the Chief Controlling Revenue Authority, be recovered from the executor or administrator as if it were an arrear of land revenue by any Deputy Commissioner in any part of [1][the State of Mysore except Bellary District] ;

1. See the Mysore Adaptation of Laws Order, 1953.

(*Chapter IV—Process Fees*)

(2) The Chief Controlling Revenue Authority may remit the whole or any part of any such penalty or forfeiture as aforesaid, or any part of any penalty under section 21 or of any Court fee under section 21 in excess of the full court fee which ought to have been paid.

27. Nothing in section 3 or section 36 shall apply to probate or letters of administration. Sections 3 and 36 not to apply to probates or letters of administration.

28. [1][* * *]

CHAPTER IV.

Process Fees.

29. The [2][High Court] shall, as soon as may be make rules as to the following matters :— Rules as to cost of processes.

i. The fees chargeable for serving and executing processes issued by such Court in its appellate jurisdiction, and by the other Civil and Revenue Courts established within the local limits of such jurisdiction ;

ii. the fees chargeable for serving and executing processes issued by the Criminal Courts established, within such limits in the case of offences other than offences for which police officers may arrest without a warrant; and

iii. the remuneration of the peons and all other persons employed by leave of a Court in the service or execution of processes.

The [2][High Court] may from time to time alter and add to the rules so made.

All such rules, alterations and additions shall, after being sanctioned by the Government, be published in the Official Gazette, and shall thereupon have the force of law. Sanction and publication of rules.

1. Repealed by Act V of 1911.
2. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

Until such rules shall be so made and published, the fees now leviable for serving and executing processes shall continue to be levied, and shall be deemed to be fees leviable under this Act.

Tables of process-fees

30. A table in the English and Kanarese languages, showing the fees chargeable for such service and execution shall be exposed to view in a conspicuous part of each Court.

Number of peons in District and Subordinate Courts.

31. Subject to rules to be made by the [1][High Court] and approved by the Government,

every District Judge and every Magistrate of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court and each of the Courts subordinate thereto,

Number of peons in Small Cause Courts.

and for the purposes of this section, every Court of Small Causes shall be deemed to be subordinate to the Court of the District Judge.

Number of peons in Revenue Courts.

32. Subject to rules to be framed by the Chief Controlling Revenue Authority and approved by the Government every officer performing the functions of a Deputy Commissioner of a District shall fix, and may from time to time alter, the number of peons necessary to be employed for the service and execution of processes issued out of his Court or the Courts subordinate to him.

CHAPTER V.

Of the Mode of Levying Fees.

Collection of fees by Stamps.

33. All fees chargeable under this Act shall be collected by stamps.

Stamps to be impressed or adhesive.

34. The stamps used to denote any fee chargeable under this Act shall be impressed or adhesive or partly impressed and partly adhesive, as the Government may, by notification in the Official Gazette, from time to time direct.

1. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

(Chapter V—Of the Mode of Levying Fees)

Rules for supply, number, renewal or refund and keeping accounts of stamps.

35. The Government may, from time to time, make rules for regulating—

(*a*) the supply of stamps to be used under this Act,

(*b*) the number of stamps to be used for denoting any fee chargeable under this Act,

(*c*) the renewal of [1][or refund in value for] damaged or spoiled stamps, and

(*d*) the keeping accounts of all stamps used under this Act,

All such rules shall be published in the Official Gazette and shall thereupon have the force of law.

Stamping documents inadvertently received.

36. No document which ought to bear a stamp under this Act shall be of any validity, unless and until it is properly stamped.

But, if any such document is through mistake or inadvertence received, filed or used in any Court or Office without being properly stamped, the presiding Judge or the head of the office, as the case may be, or, in the case of the [2][High Court,] any Judge of such Court, may, if he thinks fit, order that such document be stamped as he may direct; and, on such document being stamped accordingly, the same and every proceeding relative thereto shall be as valid as if it had been properly stamped in the first instance.

Amended document.

37. Where any such document is amended in order merely to correct a mistake and to make it conform to the original intention of the parties, it shall not be necessary to impose a fresh stamp.

Cancellation of stamp.

38. No document requiring a stamp under this Act shall be filed or acted upon in any proceeding in any Court or office until the stamp has been cancelled.

Such officer as the Court or the head of the office may from time to time appoint shall, on receiving any such document, forthwith effect such cancellation by punching out the figure-head so as to leave the amount designated

1. Inserted by Act IV of 1914.
2. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

on the stamp untouched, and the part removed by punching shall be burnt or otherwise destroyed.

39. [1][* * *]

CHAPTER VI.

MISCELLANEOUS.

Admission in criminal cases of documents for which proper fee has not been paid.

40. Whenever the filing or exhibition in a Criminal Court of a document in respect of which the proper fee has not been paid is, in the opinion of the presiding Judge, necessary to prevent a failure of justice, nothing contained in section 3 shall be deemed to prohibit such filing or exhibition.

Sale of stamps.

41. (1) The Government may from time to time make rules for regulating the sale of stamps to be used under this Act, the persons by whom alone such sale is to be conducted, and the duties and the remuneration of such persons.

(2) All such rules shall be published in the Official Gazette and shall thereupon have the force of law.

(3) Any person appointed to sell stamps who disobeys any rule made under this section, and any person not so appointed who sells or offers for sale any stamp, shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

Power to reduce or remit fees.

42. The Government may from time to time, by notification in the Official Gazette, reduce or remit, in the whole or in any part of [2][the State of Mysore except Bellary District,] all or any of the fees mentioned in the first and second schedules to this Act annexed, and may in like manner cancel or vary such order.

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1. Repealed by Act VI of 1927.
2. See the Mysore Adaptation of Laws Order, 1963.

(*Schedule I*)

[1]SCHEDULE I.

Ad valorem **Fees.**

Number		Proper fee
[2][1. Plaint or written statement, pleading a set off or counter-claim or memorandum of appeal (not otherwise provided for in this Act) presented to any Civil or Revenue Court.	When the amount or value of the subject matter in dispute does not exceed five rupees.	Eight annas.
	When such amount or value exceeds five rupees, for every five rupees, or part thereof, in excess of five rupees, up to one hundred rupees.	Nine annas.
	When such amount or value exceeds one hundred rupees, for every ten rupees or part thereof, in excess of one hundred rupees, up to one thousand rupees.	One rupee and two annas.
	When such amount or value exceeds one thousand rupees, for every one hundred rupees, or part thereof in excess of one thousand rupees, up to five thousand rupees.	Seven rupees and eight annas.
	When such amount or value exceeds five thousand rupees, for every two hundred and fifty rupees, or part thereof in excess of five thousand rupees, up to ten thousand rupees.	Fifteen rupees.
	When such amount or value exceeds ten thousand rupees, for every five hundred rupees, or part thereof, in excess of ten thousand rupees, up to twenty thousand rupees.	Twenty two rupees and eight annas.

1. Substituted by Act VIII of 1922.
2. Substituted by Act XVIII of 1952.

(*Schedule I*)

SCHEDULE I—*contd.*

Number	...	Proper fee
	When such amount or value exceeds twenty thousand rupees, for every one thousand rupees, or part thereof, in excess of twenty thousand rupees up to thirty thousand rupees.	Thirty rupees.
	When such amount or value exceeds thirty thousand rupees, for every two thousand rupees or part thereof, in excess of thirty thousand rupees up to fifty thousand rupees.	Thirty rupees.
	When such amount or value exceeds fifty thousand rupees, for every five thousand rupees, or part thereof, in excess of fifty thousand rupees.	Thirty rupees.
1 A. Plaint or written statement pleading a setoff or counter-claim presented to any court in any suit of the nature cognizable by Courts of Small Causes when the amount or value of the subject matter does not exceed rupees five hundred.	When the amount or value of the subject matter in dispute does not exceed five rupees.	Six annas.
	When such amount or value exceeds five rupees, for every five rupees or part thereof in excess of five rupees up to one hundred rupees.	Six annas.

(*Schedule I*)

SCHEDULE I—*contd.*

Number		Proper fee
	When such ameunt or value exceeds one hundred rupees, for every ten rupees or part thereof in excess of one hundred rupees, up to five hundred rupees.	Twelve annas.
2. Plaint in a suit for possession under the Specific Relief Act, 1877 [section 9].	...	An amount of one-half the scale of fee prescribed in Article 1 above.
[1][2-A. Application or written statement by a defendant in a suit for partition praying for partition of his share in the property sought to be partitioned.	...	The same fee which would have been payable on a plaint, if such defendant instituted a suit for partition.]
3. Application for review of judgment, if presented on or after the ninetieth day from the date of the decree.	...	The fee leviable on the plaint or memorandum of appeal.
4. Application for review of judgment, if presented before, the ninetieth day from the date of the decree.	...	One-half of the fee leviable on the plaint or memorandum of appeal.

1. Inserted by Act IV of 1951.

(*Schedule I*)

SCHEDULE I—*contd.*

Number		Proper fee
5. Copy or translation of a judgment or order not being or having the force of a decree.	When such judgment or order is passed by any Civil Court other than the [1][High Court,] or by the presiding officer of any Revenue Court or Office, or by any other Judicial or Executive Authority—	
	(*a*) If the amount or value of the subject-matter is fifty or less than fifty rupees.	Five annas.
	(*b*) If such amount or value exceeds fifty rupees.	Ten annas.
	When such judgment or order is passed by the [1][High Court.]	One rupee and four annas.
6. Copy or translation of a judgment or order of a Criminal Court.	...	Eight annas.
7. Copy of a decree or order having the force of a decree.	When such decree or order is made by any Civil Court other than the [1][High Court,] or by any Revenue Court—	
	(*a*) If the amount or value of the subject-matter of the suit wherein such decree or order is made is fifty or less than fifty rupees.	Eight annas.
	(b) If such amount or value exceeds fifty rupees.	One rupee.
8. Copy of any document liable to stamp-duty under the Mysore Stamp Act, 1900, when left by any party to a suit or proceeding in place of the original withdrawn.	When such decree or order is made by the [1][High Court.]	Four rupees.
	(*a*) When the stamp-duty chargeable on the original does not exceed eight annas.	The amount of the duty chargeable on the original.
	(b) In any other case.	Eight annas.

1. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.

(*Schedule I*)

SCHEDULE I—*contd.*

Number		Proper fee
9. Copy of any revenue or judicial proceeding or order not otherwise provided for by this Act, or copy of any accounts, statement, report or the like taken out of any Civil or Criminal or Revenue Court or Office.	For every three hundred and sixty words or fraction of three hundred and sixty words.	Eight annas.
10. (*Present Article 9 repealed by Act V of 1911.*)	.....	
[1][11. Probate of a will or letters of administration with or without will annexed.	When the amount or value of the property in respect of which the grant of probate or letters is made exceeds one thousand rupees but does not exceed five thousand rupees.	Two percentum on such amount or value.
	When such amount or value exceeds five thousand rupees, on the portion of such amount or value in excess of five thousand rupees, up to fifty thousand rupees.	Three percentum on such amount or value.
	When such amount or value exceeds fifty thousand rupees, on the portion of such amount or value in excess of fifty thousand rupees, up to one lakh of rupees.	Four percentum on such amount or value.

1. Substituted by Act XVIII of 1952.

(*Schedule I*)

SCHEDULE I—*contd.*

Number		Proper fee
	When such amount or value exceeds one lakh of rupees, on the portion of such amount or value in excess of one lakh of rupees.— Provided that when, after the grant of a certificate under Part X of the Indian Succession Act, 1925, in respect of any property included in an estate, a grant of probate or letters of administration is made in respect of the same estate, the fee payable in respect of the latter grant shall be reduced by the amount of fee paid in respect of the former grant.	Five percentum on such amount or value.
12. Certificate under Part X of the Indian Succession Act, 1925 (Central Act XXXIX of 1925)	When the amount or value of the debts or securities specified in the certificate under section 374 of the Act does not exceed five thousand rupees.	Two percentum on such amount or value, and three and a half percentum on the amount or value of the debts or securities to which the certificate is extended under section 376 of the Act.
	When such amount or value exceeds five thousand rupees, on the portion of such amount or value in excess of five thousand rupees, up to fifty thousand rupees.	Three percentum on such amount or value, and four and a half percentum on the amount or value of the debts or securities to which the certificate is extended under section 376 of the Act.

(*Schedule I*)

SCHEDULE I—*contd.*

Number		Proper fee
	When such amount or value exceeds fifty thousand rupees, on the portion of such amount or value in excess of fifty thousand rupees, up to one lakh of rupees.	Four percentum on such amount or value and five and a half percentum on the amount or value of the debts or securities to which the certificate is extended under section 376 of the Act.
	When such amount or value exceeds one lakh of rupees, on the portion of such amount or value in excess of one lakh of rupees.	Five percentum on such amount or value and six and a half percentum on the amount or value of debts or securities to which the certificate is extended under section 376 of the Act.

Note.—(1) The amount of a debt is its amount, including interest on the day of which the inclusion of the debt in the certificate is applied for, so far as such amount can be ascertained.

(2) Whether or not any power with respect to a security specified in a cerificate has been conferred under the Act; and where such a power has been so conferred whether the power is for the receiving of interest or dividends on, or for the negotiation or transfer of the security or for both purposes, the value of the security is its market value on the day on which the inclusion of the security in the certificate is applied for, so far as such value can be ascertained.]

(Schedule I)

SCHEDULE I—*contd.*

[1] **[Table of Rates of *Ad valorem* Fees Leviable.**

(*a*) On plaints, etc., mentioned in Article 1 of this Schedule.—

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
...	5	0 8	270	280	31 7
5	10	1 1	280	290	32 9
10	15	1 10	290	300	33 11
15	20	2 3	300	310	34 13
20	25	2 12	310	320	35 15
25	30	3 5	320	330	37 1
30	35	3 14	330	340	38 3
35	40	4 7	340	350	39 5
40	45	5 0	350	360	40 7
45	50	5 9	360	370	41 9
50	55	6 2	370	380	42 11
55	60	6 11	380	390	43 13
60	65	7 4	390	400	44 15
65	70	7 13	400	410	46 1
70	75	8 6	410	420	47 3
75	80	8 15	420	430	48 5
80	85	9 8	430	440	49 7
85	90	10 1	440	450	50 9
90	95	10 10	450	460	51 11
95	100	11 3	460	470	52 13
100	110	12 5	470	480	53 15
110	120	13 7	480	490	55 1
120	130	14 9	490	500	56 3
130	140	15 11	500	510	57 5
140	150	16 13	510	520	58 7
150	160	17 15	520	530	59 9
160	170	19 1	530	540	60 11
170	180	20 3	540	550	61 13
180	190	21 5	550	560	62 15
190	200	22 7	560	570	64 1
200	210	23 9	570	580	65 3
210	220	24 11	580	590	66 5
220	230	25 13	590	600	67 7
230	240	26 15	600	610	68 9
240	250	28 1	610	620	69 11
250	260	29 3	620	630	70 13
260	270	30 5	630	640	71 15

1. Substituted by Act XVIII of 1952.

(*Schedule I*)

SCHEDULE I—*contd.*

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
640	650	73 1	1,400	1,500	149 15
650	660	74 3	1,500	1,600	157 7
660	670	75 5	1,600	1,700	164 15
670	680	76 7	1,700	1,800	172 7
680	690	77 9	1,800	1,900	179 15
690	700	78 11	1,900	2,000	187 7
700	710	79 13	2,000	2,100	194 15
710	720	80 15	2,100	2,200	202 7
720	730	82 1	2,200	2,300	209 15
730	740	83 3	2,300	2,400	217 7
740	750	84 5	2,400	2,500	224 15
750	760	85 7	2,500	2,600	232 7
760	770	86 9	2,600	2,700	239 15
770	780	87 11	2,700	2,800	247 7
780	790	88 13	2,800	2,900	254 15
790	800	89 15	2,900	3,000	262 7
800	810	91 1	3,000	3,100	269 15
810	820	92 3	3,100	3,200	277 7
820	830	93 5	3,200	3,300	284 15
830	840	94 7	3,300	3,400	292 7
840	850	95 9	3,400	3,500	299 15
850	860	96 11	3,500	3,600	307 7
860	870	97 13	3,600	3,700	314 15
870	880	98 15	3,700	3,800	322 7
880	890	100 1	3,800	3,900	329 15
890	900	101 3	3,900	4,000	337 7
900	910	102 5	4,000	4,100	344 15
910	920	103 7	4,100	4,200	352 7
920	930	104 9	4,200	4,300	359 15
930	940	105 11	4,300	4,400	367 7
940	950	106 13	4,400	4,500	374 15
950	960	107 15	4,500	4,600	382 7
960	970	109 1	4,600	4,700	389 15
970	980	110 3	4,700	4,800	397 7
980	990	111 5	4,800	4,900	404 15
990	1,000	112 7	4,900	5,000	412 7
1,000	1,100	119 15	5,000	5 250	427 7
1,100	1,200	127 7	5,250	5,500	442 7
1,200	1,300	134 15	5,500	5,750	457 7
1,300	1,400	142 7	5,750	6,000	472 7

(*Schedule I*)

SCHEDULE I—*contd.*

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
6,000	6,250	487 7	16,000	16,500	1,004 15
6,250	6,500	502 7	16,500	17,000	1,027 7
6,500	6,750	517 7	17,000	17,500	1,049 15
6,750	7,000	532 7	17,500	18,000	1,072 7
7,000	7,250	547 7	18,000	18,500	1,094 15
7,250	7,500	562 7	18,500	19,000	1,117 7
7,500	7,750	577 7	19,000	19,500	1,139 15
7,750	8,000	592 7	19,500	20,000	1,162 7
8,000	8,250	607 7	20,000	21,000	1,192 7
8,250	8,500	622 7	21,000	22,000	1,222 7
8,500	8,750	637 7	22,000	23,000	1,252 7
8,750	9,000	652 7	23,000	24,000	1,282 7
9,000	9,250	667 7	24,000	25,000	1,312 7
9,250	9,500	682 7	25,000	26,000	1,342 7
9,500	9,750	697 7	26,000	27,000	1,372 7
9,750	10,000	712 7	27,000	28,000	1,402 7
10,000	10,500	734 15	28,000	29,000	1,432 7
10,500	11,000	757 7	29,000	30,000	1,462 7
11,000	11,500	779 15	30,000	32,000	1,492 7
11,500	12,000	802 7	32,000	34,000	1,522 7
12,000	12,500	824 15	34,000	36,000	1,552 7
12,500	13,000	847 7	36,000	38,000	1,582 7
13,000	13,500	869 15	38,000	40,000	1,612 7
13,500	14,000	892 7	40,000	42,000	1,642 7
14,000	14,500	914 15	42,000	44,000	1,672 7
14,500	15,000	937 7	44,000	46,000	1,702 7
15,000	15,500	959 15	46,000	48,000	1,732 7
15,500	16,000	982 7	48,000	50,000	1,762 7

When the amount or value of the subject-matter exceeds Rs. 50,000 for every five thousand rupees or part thereof in excess of fifty thousand rupees—thirty rupees.

(*Schedule I*)

SCHEDULE I—*concld.*

(*b*) On plaints, etc., mentioned in Article 1-A of this Schedule.—

When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee	When the amount or value of the subject-matter exceeds	But does not exceed	Proper fee
Rs.	Rs.	Rs. a.	Rs.	Rs.	Rs. a.
...	5	0 6	200	210	15 12
5	10	0 12	210	220	16 0
10	15	1 2	220	230	17 4
15	20	1 8	230	240	18 0
20	25	1 14	240	250	18 12
25	30	2 4	250	260	19 8
30	35	2 10	260	270	20 4
35	40	3 0	270	280	21 0
40	45	3 6	280	290	21 12
45	50	3 12	290	300	22 8
50	55	4 2	300	310	23 4
55	60	4 8	310	320	24 0
60	65	4 14	320	330	24 12
65	70	5 4	330	340	25 8
70	75	5 10	340	350	26 4
75	80	6 0	350	360	27 0
80	85	6 6	360	370	27 12
85	90	6 12	370	380	28 8
90	95	7 2	380	390	29 4
95	100	7 8	390	400	30 0
100	110	8 4	400	410	30 12
110	120	9 0	410	420	31 8
120	130	9 12	420	430	32 4
130	140	10 8	430	440	33 0
140	150	11 4	440	450	33 12
150	160	12 0	450	460	34 8
160	170	12 12	460	470	35 4
170	180	13 8	470	480	36 0
180	190	14 4	480	490	36 12
190	200	15 0	490	500	37 8

(*Schedule II*)

[1]SCHEDULE II—FIXED FEES.

Number		Proper fee
[2][1. Application or petition.	(*a*) When presented to any officer of the Customs or Excise Department or to any Magistrate by any person having dealings with the Government, and when the subject matter of such application relates exclusively to those dealings ;	One anna
	or when presented to any officer of Land Revenue by any person holding temporarily settled land under direct engagement with Government and when the subject matter of the application or petition relates exclusively to such engagement;	Two annas
	or when presented to any Municipal Council or Commissioner under any Act for the time being in force for the conservancy or improvement of any place, if the application or petition relates solely to such conservancy or improvement ;	One anna
	or when presented to any Civil Court other than a principal Civil Court of original jurisdiction, or to any Court of Small Causes, or to a Deputy Commissioner or other officer of revenue in relation to any suit or case in which the amount or value of the subject matter is less than fifty rupees;	Two annas
	or when presented to any Civil, Criminal or Revenue Court, or to any Board or Executive Officer for the purpose of obtaining a copy or translation of any judgment, decree or order passed by such Court, Board or Officer, or of any other document on record in such Court or office.	

1. Substituted by Act VIII of 1922.
2. Substituted by Act 9 of 1954.

(Schedule II)

SCHEDULE II—*contd.*

Number		Proper fee
	(*b*) When containing a complaint or charge of any offence other than an offence for which Police Officers may, under the Criminal Procedure Code, arrest without warrant and presented to any Criminal Court; or when presented to a Civil, Criminal or Revenue Court, or to a Deputy Commissioner, or any Revenue Officer having jurisdiction equal or subordinate to a Deputy Commissioner, or to any Magistrate in his executive capacity and not otherwise provided for by this Act;	In the case of a Criminal complaint, one rupee and in other cases twelve annas.
	or to deposit in Court revenue or rent; or for determination by a Court of the amount of compensation to be paid by landlord to his tenant.	Eight annas
	(*c*) When presented to a Chief Controlling Revenue or Executive Authority, or to any Chief Officer charged with the Executive Administration of a division and not otherwise provided for by this Act.	One rupee, eight annas
	(*d*) (i) When presented to the High Court for the issue of a writ under Article 226 of the Constitution of India other than a writ of Habeas Corpus;	Twenty rupees
	(ii) when presented to the High Court under section 115 of the Code of Civil Procedure, 1908 (Central Act V of 1908) for revision of an order—	
	(*a*) when the value of the suit or proceeding to which the order relates does not exceed thousand rupees;	Five rupees

(Schedule II)

SCHEDULE II—*contd.*

Number		Proper fee
	(*b*) when the value of the suit or proceeding exceeds thousand rupees :	Ten rupees
	(iii) when presented to the High Court in cases other than those referred to in sub-clauses (i) and (ii).	Two rupees
1-A. Application to any Civil Court that records may be called for from another Court.	When the Court grants the application and is of opinion that the transmission of such records involves the use of the post.	Twelve annas in addition to any fee levied on the application under clause (*a*), clause (*b*), or clause (*d*) of Article 1 of this schedule.
2. Application for leave to sue as a pauper.	...	Eight annas
3. Application for leave to appeal as a pauper.	(a) when presented to a District Court or a Sub-Court.	One rupee
	(*b*) When presented to the [1] [High Court.]	Two rupees
4. Plaint or memorandum of appeal in a suit to establish or disprove a right of occupancy.	...	Eight annas
5 Bail-bond or other instrument of obligation given in pursuance of an order made by a Court or Magistrate under any section of the [2] [Code of Criminal Procedure, 1898, (Central Act V of 1898)] or the [2] [Code of Civil Procedure, 1908 (Central Act V of 1908)] and not otherwise provided for in this Act.	...	Eight annas

1. The words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.
2. Substituted by Act 9 of 1954.

(Schedule II)

SCHEDULE II—*contd.*

Number		Proper fee
6. Mukhtar-nama or Vakalat-nama	When presented for the conduct of any one case—	
	(*a*) to any Civil or Criminal Court other than the [2][High Court] or to any Revenue Court, or to any Deputy Commissioner or Magistrate, or other Executive Officer, except those mentioned in clause (*b*) of this number;	[1][One rupee]
	(*b*) to the [2][High Court,] or Chief Controlling Revenue or Executive Authority.	[1][Three rupees]
7. [3]Memoran-dum of appeal when the appeal is from an order inclusive of an order determin-ing any question under Section 47 or Section 144 of the [1][Code of Civil Procedure, 1908, (Central Act V of 1908)] and is presented.	(*a*) to any Civil Court other than the [2][High Court] or to any Revenue Court or Executive officer other than the [2][High Court] or Chief Controlling Revenue or Executive Authority;	[1][One rupee]
	(*b*) to the [2][High Court] or Chief Controlling Executive or Revenue Authority.	Two rupees
8. Caveat.	...	Ten rupees
9. Petition in a suit under the Native Converts' Marriage Dissolu-tion Act, 1866.	...	Five rupees
10. [ ]		

1. Substituted by Act 9 of 1954.
2. The Words "High Court" were substituted for the words "Chief Court" by Act XII of 1930.
3. Substituted for the original words "Memorandum of appeal" by Act I of 1924.
4. Repealed by Act III of 1911.

SCHEDULE II—*contd.*

Number		Proper fee
[1][11. Plaint or memorandum of appeal in a suit—		
(i) to alter or set aside a summary decision or order of any civil court or Revenue Court ;	...	Fifteen rupees.
(ii) to alter or cancel any entry in a register of the names of Proprietors of revenue paying estates ;		
(iii) for relief under section 91 or section 92 of the Code of Civil Procedure, 1908.	...	Fifty rupees.
11-A. Plaint or memorandum of appeal in a suit—		
(i) to obtain a declaratory decree where no consequential relief is prayed ;	When the plaint is presented to or the memorandum of appeal is against the decree of—	
(ii) to set aside an award ;	(*a*) Munsiff's Court	Fifteen rupees.
(iii) to obtain a declaration that an alleged adoption is invalid or never in fact took place or to obtain a declaration that an adoption is valid.	(*b*) a District Court or Sub-Court	Hundred rupees if the value for purposes of jurisdiction is less than ten thousand rupees ; five hundred rupees if such value is ten thousand rupees or upwards.

1. Substituted by Act XVIII of 1952.

(Schedule II)

SCHEDULE II—*concld.*

Number		Proper fee
11-B. Plaint or memorandum of appeal in every suit where it is not possible to estimate at a money value the subject-matter in dispute and which is not otherwise provided for by this Act.	When the plaint is presented to or the memorandum of appeal is against the decree of,—	
	(*a*) a Revenue Court	Ten rupees.
	(*b*) a Munsiff's Court	Fifteen rupees.
	(*c*) a District Court or Sub-Court.	One hundred rupees.]
12. [1][Application under section 14 or section 20 of the Arbitration Act, 1940, for a direction for filing an award or for an order for filing an agreement.]	When presented to a Munsiff's Court.	Fifteen rupees
13. Agreement in writing stating a question for the opinion of the Court under the [1][Code of Civil Procedure, 1908, (Central Act V of 1908..]	When presented to a District Court or a Sub-Court.	[1][One hundred rupees]
[2][14. Every petition under the Indian Divorce Act, 1869, except petitions under section 44 of the same Act, and every memorandum of appeal under section 55 of the same Act.	...	Twenty rupees
15. Plaint or memorandum of appeal under the Parsi Marriage and Divorce Act, 1936.	...	Twenty rupees.]

1. Substituted by Act 9 of 1951.
2. Added by Act XVIII of 1952.

(Schedule III)

SCHEDULE III.

FORM OF VALUATION (TO BE USED WITH SUCH MODIFICATIONS, IF ANY, AS MAY BE NECESSARY.)

(See *Section* 25.)

IN THE COURT OF

Re : *Probate of the will of*.....(*or Administration of the property and credits of* .....) *deceased*

I {Solemnly affirm / make oath}

and say that I am the executor (or one of the executors or one of the next of kin of deceased, and that I have truly set forth in Annexure A to this affidavit all the property and credits of which the above named deceased died, possessed or was entitled to at the time of his death, and which have come, or are likely to come, to my hands.

2. I further say that I have also truly set forth in Annexure B all the items I am by law allowed to deduct.

3. I further say that the said assets exclusive only of such last mentioned items but inclusive of all rents, interest, dividends and increased values since the date of the death of the said deceased, are under the value of.

ANNEXURE A.

VALUATION OF THE MOVEABLE AND IMMOVEABLE PROPERTY OF DECEASED.

	Rs.	a.	p.
Cash in the house and at the banks, household goods, wearing-apparel, books, plate, jewels, etc. (*State estimated value according to best of Executor's or Administrator's belief.*)			
Property in Government securities transferable at the Public Debt Office. (*State description and value at the price of the day ; also the interest separately calculating it to the time of making the application.*)			
Immoveable property, consisting of (*State description giving, in the case of houses the assessed value, if any, and the number of years' assessment the market-value is estimated at and in the case of land, the area, the market-value and all rents that have accrued.*)			

(Schedule III)

SCHEDULE III—FORM OF VALUATION—*concld.*

ANNEXURE A—*concld.*

	Rs.	a.	p.
Leasehold Property. (*If the deceased held any leases for years determinable, state the number of years' purchase the profit rents, are estimated to be worth and the value of such inserting separately arrears due at the date of death and all rents received or due since that date to the time of making the application.*)			
Property in public companies. (*State the particulars and the value calculated at the price of the day ; also the interest separately, calculating it to the time of making the application.*)			
Policy of Insurance upon life, money out on mortgage and other securities, such as bonds, mortgages, bills, notes and other securities, for money. (*State the amount of the whole ; also the interest separately calculating it to the time of making the application.*)			
Book debts ... ... (*Other than bond.*)			
Stock in trade ... ... (*State the estimated value, if any.*)			
Other property not comprised under the foregoing heads (*State the estimated value, if any.*)			
Total ...			
Deduct amount shown in Annexure B not subject to duty			
Net Total ...			

ANNEXURE B.

SCHEDULE OF DEBTS, ETC.

	Rs.	a.	p.
Amount of debts due and owing from the deceased, payable by law out of the estate.			
Amount of funeral expenses			
Amount of mortgage incumbrances			
Property held in trust not beneficially or with general power to confer a beneficial interest.			
Other property not subject to duty			
Total ...			

(*Schedule IV*)

SCHEDULE IV.

ENACTMENTS REPEALED.

(See *Section* 2.)

Year	No.	Short title or subject	Extent of repeal
1870	VII	The Court Fees Act, 1870, as applied to Mysore by Notification of the Government of India, Foreign Department, Judicial No. 94, dated the 17th June 1870.	The whole.
1872	XV	The Indian Christian Marriage Act, 1872, as applied to Mysore by Notification of the Government of India, Foreign Department, Judicial, 176—J., dated the 31st December 1875.	So much of Section 2, as relates to the Court Fees Act, 1870.
*1901	VII	The Mysore Succession Certificate Act	Section 13.

**Vide* Section 3 of Act I of 1924.